

**Priority question for written answer P-004910/2025  
to the Commission**

Rule 144

**Borja Giménez Larraz (PPE)**

Subject: Doubts as to enforcement in Spain of CJEU ruling in case C-423/07

On 22 April 2010, the CJEU handed down its judgment in Case C-423/07, establishing as it did that Spain had failed to comply with Directive 93/37/EEC by contracting out additional works for the construction of new sections of the AP-6 motorway without due notification or a competitive tendering procedure.

With a view to complying with this judgment, on 23 December 2010 the Spanish authorities sent the Commission an informal letter, which proposed cutting the current concession short then running a new tender for the management of this infrastructure. The Commission formally accepted the proposal in a communication dated 30 March 2011.

The Spanish Government then approved Royal Decree 525/2012.

In view of the above:

Can the Commission confirm whether the informal document sent by the Kingdom of Spain on 23 December 2010 – the proposal accepted by the Commission on 30 March 2011 – includes the obligation for Spain to run a tender for new toll arrangements for a period of seven years from the expiry, in November 2029, of the current toll regime for the AP-6, AP-51 and AP-61 motorways?

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